

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Thomas Jeffrey Swanson,

Case No.2:21-mj-30164

Assigned To : Unassigned

Assign. Date : 4/8/2021

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 24, 2019 until April 7, 2021 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 2251, 2252A(a)(5)(b) & 2252A(a)(2)

Distribution, receipt, and possession of child pornography

This criminal complaint is based on these facts:

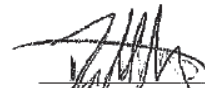
That there is probable cause to believe that **Thomas Jeffrey Swanson** violated Title 18, United States Code, Sections 2251, 2252A(a)(5)(b) and 2252A(a)(2), which criminalize, among other things, the distribution, receipt and possession of child pornography and other related materials.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence and/or
by reliable electronic means

Date: April 8, 2021

City and state: Detroit, MI



Complainant's signature

David Alley, Special Agent, HSI

Printed name and title



Judge's signature

Curtis Ivy, Jr., U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT

I, Dave Alley, being first duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with Homeland Security Investigations (HSI), of the United States Department of Homeland Security (DHS). I am assigned to the Special Agent in Charge (SAC), Office of Investigations (OI) in Detroit, Michigan with offices located at 477 Michigan Ave, Suite 1850, Detroit, Michigan. I have been employed with HSI since March, 2007. I have successfully completed the Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received a Bachelor's Degree in Criminal Justice from Michigan State University, as well as a Master's Degree in Criminal Justice from Michigan State University. I have successfully completed the Basic Computer Evidence Recovery Training (BCERT) at FLETC and the Advanced Computer Evidence Recovery Training at the Cyber Crimes

Center (C3) and the Cyber Crime Center Mobile and Cellular Device Data Extraction course and possess an A+ certification.

2. This affidavit is made in support of a criminal complaint and arrest warrant for **Thomas Jeffrey Swanson** (DOB XX/XX/1995) for violations of Title 18, United States Code, Sections 2252A(a)(5)(b) and 2252A(a)(2), which criminalize, among other things, the distribution, receipt and possession of child pornography and other related materials.

3. This affidavit is based on my personal knowledge, experience and training as well as on information obtained by me through investigative observations and conversations with other HSI agents and agents from other law enforcement agencies. This affidavit does not set forth every fact resulting from this investigation; rather, it contains a summary of the investigation to date for the limited purpose of establishing probable cause to obtain an arrest warrant for **Thomas Jeffrey SWANSON**.

Probable Cause

4. On February 7, 2020, the Australian Federal Police (AFP) arrested and charged Foreign Defendant 1 (“FD1”) with multiple child exploitation offenses under the auspices of Operation Arkstone. A forensic

analysis of FD1's electronic devices revealed he engaged in sexually explicit conversations which focused on child exploitation with Snapchat user "gayboylovescox". On November 24, 2019, the following Snapchat conversation occurred between FD1 and "gayboylovescox":

gayboylovescox: my boy is 15
 FD1: I love boy's, I wish I had a son to play with
 gayboylovescox: I love playing with my boy. He is good cock
 "sucker"
 FD1: im so jealous of you

gayboylovescox sends two images of a what appears to be a naked minor with the comment "My boy".

FD1: how long you played with him for
 gayboylovescox: when he was 4 or 5 and since he was 13
 FD1: what did you do when he was 4/5
 gayboylovescox: sucked his dick and put cum on him
 FD1: id be too tempted to be fucking him all the time if
 he was naked around me haha
 gayboylovescox: child comes into my bed when he is cold
 FD1: that's just his excuse to be fucked (devil emoji)

FD1 sends two videos of a minor aged child, who has since been positively identified as a victim that FD1 has sexually abused.

FD1: Me and my 5-year-old nephew, hes autistic
 gayboylovescox: that's hot

"Gayboylovescox" sends two videos of what appear to be the minor age child he had previously sent images of. One video depicts what appears to be the minor aged child performing fellatio on "gayboylovescox" and one video depicts two males masturbating together.

FD1 sends two images of a different minor aged child, who has since been identified as a victim of FD1's. FD1's comments "Hes fucking adorable though. Can't wait for him to grow up so I can taste his cum, he is almost 6, very little".

FD1: he loves my cum

FD1 discusses how he and another have sexually abused this victim.

5. HSI Canberra provided HSI Detroit with a video of the Snapchat direct messages and videos sent between FD1 and "gayboylovescox". In the video, law enforcement officials played the videos that both individuals shared with each other. FD1 sent "gayboylovescox" two videos depicting an adult male forcing a pre-pubescent male to touch his penis. Both videos appear to be taken by the same adult male. "Gayboylovescox" sends FD1 two photographs of a nude male, who is labeled as being 15 years old. "Gayboylovescox" also sends FD1 a video of the same 15-year-old male performing oral sex on another male, who appears to be "gayboylovescox".

6. On September 25, 2020, I reviewed the material provided by HSI Canberra. I observed several videos being shared between FD1 and

Snapchat user “gayboylovescox” that appear to meet the federal definition of child pornography.

7. On November 10, 2020, I applied for and obtained a search warrant in the Eastern District of Michigan for Snapchat user account “gayboylovescox”.

8. On February 22, 2021, Snapchat provided the contents of Snapchat user account “gayboylovescox”. I reviewed the account contents and observed the following information:

- a. Conversation summary and videos with the aforementioned FD1 in paragraph 10.
- b. Conversation and videos with Snapchat user “*****69”:

gayboylovescox: You into incest as well?

*****69: Yeah! You tried it?

gayboylovescox: I have played with my brother a few times
yes

*****69: Nice! Got pics?

gayboylovescox: Hope some videos are okay too

*****69: That your bro?

gayboylovescox: Yes

gayboylovescox: He is 15

gayboylovescox: Well 16 now

“Gayboylovescox” sends “*****69” two videos. The first video

appears to depict a teenage male masturbating while looking into the

camera. At the end of the video the teenage male ejaculates on his own face. The second video depicts two males sitting stomach to stomach with their penises touching each other. Both males take turns masturbating both penises at the same time. “Gayboylovescox” also sends “*****69” two photographs. Both photographs depict two males, nude from the waist down laying in a bed next to each other.

c. Conversation and videos with Snapchat user “*****9898”:

gayboylovescox: Hey you trading you little brothers nudes?
*****9898: Yh
gayboylovescox: Love to see him
gayboylovescox: I have some of my brother too I can trade if
You like
*****9898: Yeah Send
gayboylovescox: That’s my little brother age 15
gayboylovescox: Can I see your little brother please?

“Gayboylovescox” sends “*****9898” four videos and six photographs. The first video depicts two males sitting stomach to stomach with their penises touching each other. Both males take turns masturbating both penises at the same time. The second and third videos appear to depict a teenage male performing oral sex on a male. The fourth video depicts a male sitting on top of a teenage male’s face. The teenage male on the bottom is performing oral sex while

the male on top is forcefully moving his penis in and out of the teenage male's mouth. The first photograph depicts a nude teenage male standing in the shower holding his penis. The second photograph depicts a male pulling his underwear below his penis. The third photograph depicts a nude teenage male sitting on the edge of a bed. The fourth photograph depicts a nude male laying on his side, with his pants pulled down below his waist. The male is holding his penis with his left hand. The nude male is laying on the same bed in photograph number three. The fifth photograph depicts a male sitting on the toilet with his penis showing. The male is holding up his shirt with his mouth. The sixth photograph is a male looking down at his penis.

9. Investigation of the Snapchat account of "gayboylovescox" caused me to believe that SWANSON was the user of the Snapchat account, based on IP address information and other investigation described below.

10. In addition to the aforementioned conversations and videos, I discovered non-nude photographs sent from "gayboylovescox" to multiple

Snapchat users. “Gayboylovescox” claims these are photographs of himself. The male in those photographs match Swanson Michigan issued driver’s license photograph.

11. Based on the entire investigation, I applied for and obtained a federal search warrant for Swanson’s residence, located in Shelby Township, MI. On April 7, 2021, I executed this search warrant along with other HSI Special Agents and members of local law enforcement. During the execution of this search warrant, agents encountered Swanson, who consented to an interview. At approximately 0630, HSI Special Agents conducted an interview of Swanson. In a post Miranda statement Swanson made the following pertinent, non-verbatim statements:

- a. Swanson estimated that he had resided at the subject address since July, 2019.
- b. Swanson admitted to ownership of a Google phone in a purple case and a Motorola phone. SWANSON provided a password of 2028 for his phones, which was later found to be correct.
- c. Swanson admitted to ownership of Snapchat accounts “gayboylovescox” and “mr.nakedpenis” When confronted

SWANSON admitted to receipt of child pornography using Snapchat account “gayboylovescox”

- d. When asked, Swanson stated he liked to roleplay as father and son online and claimed that the individual he was portraying as a 15 year old was an adult.
- e. Swanson stated that he did not remember his username on KIK but that he used it for a while and then took a break before resuming using it approximately one month ago. Swanson admitted to speaking with individuals who he believed were 16 years old and requested and received nude images of them. Swanson stated that he sent nude images to these individuals.
- f. Swanson admitted to having the application Telegram and stated that he had seen child pornography on it but that he had tried not to view it. SWANSON also admitted to having seen child pornography on “MEGA”
- g. Swanson stated that he kept all of his previous Snapchat conversations but that he never went back to review them. Swanson stated that he no longer uses the “gayboylovescox” Snapchat account.

12. During the execution of this search warrant, HSI Special Agents discovered a number of electronic items, to include cellular telephones belonging to Swanson. I conducted a forensic preview of a Google Pixel phone belonging to Swanson and made the following observations:

- a. The application Telegram installed with a name of Thomas Swanson and phone number 810-845-0281 logged in. Swanson is a member of well over 100 group and private conversations, many with sexually explicit names. Without a network connection, the images and videos received cannot be viewed.
- b. The application “ccleaner” installed. I have seen this application used before in connection with child exploitation investigations and it is often used in an attempt to permanently delete files.

13. I also conducted a forensic preview of a LG V10 cellular phone and made the following observations:

- a. Google alerts for email accounts

[thomasSwanson****@gmail.com](#) and

[Thomas.Swanson@*****.com](#)

b. The application KIK installed on the phone and logged in with username Disney_Boy_23 and email address

thomasjSwanson***@gmail.com

c. The application Snapchat installed on the phone and account logged in with username mr.nakedpenis, linked to email address thomasjSwanson***@gmail.com. I observed the following Snapchat conversations of investigative interest:

i. A chat with user MV1 from October 4, 2018

during which Swanson identifies himself as a 23 year old male and MV1 identifies himself as a 14 year old male. Swanson states “very nice, so what are you into” but does not receive a response.

14. Contained on this phone, I observed the following KIK chats of investigative interest:

a. A December 18, 2018 conversation with KIK user MV2 during which this user tells SWANSON that he is a 16 year old male and send a picture of his penis. SWANSON sends an image of his penis back and

says “very nice”. KIK user MV2 sends SWANSON two videos that will not play but a male’s bare penis is visible.

- b. A December 19, 2018 conversation with KIK user MV3 during which this user tells SWANSON that he is 14 year old male from Illinois to which SWANSON replies “Illinois?” “and cool”. KIK user MV3 asks if SWANSON wants to trade pictures and SWANSON replies “sure man”. KIK user MV3 sends SWANSON a full body nude image and SWANSON relies “very nice”. KIK user MV3 asks if he can see SWANSON, and SWANSON sends an image of his penis. KIK user MV3 then sends an image that appears to be his fingers in his anus.
- c. A December 24, 2018 conversation with KIK user MV4. KIK user MV4 and Swanson exchange pictures of their penises. KIK user MV4 sends a video that will not load, in which his bare penis is visible. Swanson sends an image of his own penis and asked KIK user MV4 his age. KIK user MV4 states “16” and “is that ok” to which Swanson replies “I mean can’t change your age lol” and big cock for a 16 year old”. Swanson and KIK user MV4 continue to exchange pictures and KIK user MV4 sends an images of a toothbrush inserted in his anus. KIK user MV4 then sends two videos that will not play but appear to

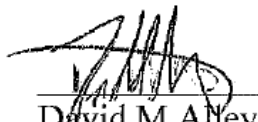
show the same toothbrush in his anus. KIK user MV4 talks about inserting more items into his anus and states that he wants a dildo but doesn't want his parents to find it. Swanson advises him to hide it "in a school backpack or in underwear and sock drawer". KIK user MV4 says "true" and Swanson sends another image of his penis.

- d. A January 10, 2019 conversation with another KIK user during which Swanson asks about the purpose of a specific group chat and is told by that KIK user "oh its people tricking boys into sending pics with them thinking they are chicks and stuff" to which Swanson replies "Oh ok cool". Swanson states that he has some "younger guys" and sends an image of a bare penis and a males face. Swanson claims that this person is 17.
- e. A January 18, 2019 conversation with KIK user MV5. This user asks "wanna trade" and states that he is 17 and asks "that ok" Swanson replies "Yep. You send first though". KIK user MV5 and Swanson exchange several images of their bare penises and exchange images of their faces. KIK user MV5 tells Swanson "send a video jerking" and Swanson sends a video that will not play but shows a male's bare penis with a hand on it. KIK user MV5 sends a video that will not

play but shows a males bare penis with a hand on it. Swanson sends another video that will not play and says “You like this boy? Keep daddy hard”.

CONCLUSION

15. Your Affiant respectfully submits that there is probable cause to believe that **Thomas Jeffrey Swanson (DOB XX/XX/1995)** violated Title 18, United States Code, Sections 2251, 2252A(a)(5)(b) and 2252A(a)(2), which criminalize, among other things, the distribution, receipt and possession of child pornography and other related materials. Your affiant requests that the Court authorize the issuance of a criminal complaint and arrest warrant for **Thomas Jeffrey Swanson**.



David M Alley
Special Agent
Homeland Security Investigations

Sworn to before me and signed in my presence and/or by reliable electronic means on April 8, 2021.



CURTIS IVY, JR.
UNITED STATES MAGISTRATE JUDGE